

In the United States District Court
for the Southern District of Texas
Houston Division

Darrell Giles	§	
Plaintiff	§	
	§	
v.	§	Civil Action No. 4:18-cv-3168
	§	
City of Houston, <i>et al.</i>	§	
Defendants.	§	Jury

Defendant Wilson's Answer

Defendant Gerald Wilson files this answer to Plaintiff's complaint, denying all allegations except those expressly admitted. He asserts his entitlement to qualified immunity and the statutory immunity found in Section 101.106 of the Texas Civil Practice and Remedies Code. He demands a jury. He also consents to the removal of this cause of action.

Defendant admits paragraphs: 7, 8, 15.

Defendant denies paragraphs: 16, 56-59, 61, 62, 64, 66-67, 78, 87, 90-91, 93, 95-96, 100-103.

Defendant cannot admit or deny paragraphs: 2, 3-6, 10-14, 18, 21-24, 26-30, 32-42, 44-53, 60, 63, 65, 69-73, 80-85, 89, 98-99.

Paragraph 1: unable to admit or deny whether Giles or Hubbard were arrested but denies the remainder of the paragraph.

Paragraph 17: admits he was employed by the Texas Department of Public Safety at the time of the incident in question but he is unable to admit or deny the remainder of the paragraph.

Paragraph 19: admits he detained two people and that officers from HPD arrived but is unable to admit or deny the remainder of the paragraph.

Paragraph 20: admits he detained two people for fighting in public but unable to admit or deny the remainder of the paragraph.

Paragraph 25: admits he did not witness fighting but is unable to admit or deny the remainder of the paragraph.

Paragraph 31: admits he performed HGN test on one of the individuals but unable to admit or deny the remainder of the paragraph.

Paragraph 43: admits that Giles is bringing causes of actions but denies liability.

Paragraph 55: admits he acting under color of law but denies the remainder of the paragraph.

Paragraph 75: unable to admit or deny whether any officer reported that another officer acted unlawfully but denies the remainder of the paragraph.

Paragraph 76: admits he conducted an HGN test, denies any role in a conspiracy, but is unable to admit or deny the remainder of the paragraph.

Paragraph 77: denies being a conspirator but is unable to admit or deny remainder of the paragraph.

Paragraph 92: denies any false imprisonment and is unable to admit or deny the remainder of the paragraph.

Respectfully submitted,

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Notice of Electronic Filing

I, Seth Byron Dennis, Assistant General of Texas, do hereby certify that I have electronically submitted for filing, a true and correct copy of the above and foregoing **Defendant Wilson's Answer** in accordance with the Electronic Case Files System of the Southern District of Texas, on this the 19th day of December, 2018.

/s/ Seth Byron Dennis

SETH BYRON DENNIS
Assistant Attorney General

Certificate of Service

I, Seth Byron Dennis, Assistant Attorney General of Texas, do hereby certify that a true and correct copy of the above and foregoing **Defendant Wilson's Answer** has been served by means of the Southern District of Texas's CM/ECF filing system, in accordance with the Federal Rules of Civil Procedure on this the 19th day of December, 2018, addressed to all parties of record.

/s/ Seth Byron Dennis

SETH BYRON DENNIS
Assistant Attorney General